

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

SANDRA H. HARP,

Case No. 10-CV-3970 (PJS/FLN)

Plaintiff,

v.

ORDER

NAVARRE LOGISTICAL SERVICES,
INC.; DAVID GINSBERG; MARGOT
MCMANUS; and MICKI ST. CLAIR, as
agents for Navarre Logistical Services, Inc.,

Defendants.

This matter is before the Court on plaintiff Sandra H. Harp's motion to proceed *in forma pauperis* ("IFP") on appeal. A litigant who seeks to be excused from paying the filing fee for an appeal in a federal case may apply for IFP status. 28 U.S.C. § 1915(a)(1); Fed. R. App. P. 24(a). To qualify for IFP status, a litigant must demonstrate that she cannot afford to pay the full filing fee. 28 U.S.C. § 1915(a)(1).

Harp claims in her IFP application that she has made approximately \$1,562 per month over the past twelve months, but that she can expect only about \$343 in income next month. Harp's ordinary living expenses substantially consume her income, and she avers that she anticipates additional medical expenses in the near future. Moreover, Harp has few assets — she owns a car, the value of which she estimates at \$2,200, and she has less than \$20 in her checking account. Based on the disclosures in her IFP application, the Court concludes that Harp is financially eligible for IFP status.

Along with this financial analysis, the Court must be satisfied that the litigant will raise non-frivolous issues upon appeal for that litigant to file her appeal IFP. “An appeal may not be taken in forma pauperis if the trial court certifies in writing that it is not taken in good faith.” 28 U.S.C. § 1915(a)(3). Although the Court remains satisfied that it properly granted defendants’ motion for summary judgment in this case, the Court cannot say that Harp’s appeal is frivolous. Harp’s IFP application is therefore granted.

ORDER

Based on the foregoing, and on all of the files, records, and proceedings herein, IT IS HEREBY ORDERED that plaintiff Sandra H. Harp’s motion to proceed *in forma pauperis* on appeal [ECF No. 83] is GRANTED.

Dated: April 24, 2013

s/Patrick J. Schiltz
Patrick J. Schiltz
United States District Judge